IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MELODY ELLBERGER, *et al.*,

    Plaintiffs,

    v.

PIERRE GUICHARDAN, *et al.*,

    Defendants.

No. 3:19-CV-00726

(Judge Brann)

(Magistrate Judge Saporito)

ORDER

MARCH 6, 2020

Melody Ellberger and Daniel Leeper filed this 42 U.S.C. § 1983 civil rights complaint alleging that numerous individuals and entities violated their rights.[1] On January 15, 2020, Magistrate Judge Joseph F. Saporito, Jr., issued a Report and Recommendation recommending that this Court grant the pending motions to dismiss and dismiss the complaint with prejudice.[2] No timely objections were filed to the Report and Recommendation.

Where no objection is made to a report and recommendation, this Court will review the recommendation only for clear error.[3] Regardless of whether timely

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[1]   Doc. 1.

[2]   Doc. 65.

[3]   Fed. R. Civ. P. 72(b), advisory committee notes; *see Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that court should in some manner review recommendations regardless of whether objections were filed).

objections are made, district courts may accept, reject, or modify—in whole or in part—the findings or recommendations made by the magistrate judge.[4] Upon review of the record, the Court finds no error—clear or otherwise—in Magistrate Judge Saporito's conclusion that the complaint fails to state a claim for relief, and that amendment would be futile. Consequently, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge Joseph F. Saporito, Jr.'s Report and Recommendation (Docs. 65) is **ADOPTED**;

2. Defendants' motions to dismiss (Docs. 12, 23, 31, 38, 49, 52) are **GRANTED**;

3. Plaintiffs' complaint (Doc. 1) is **DISMISSED** with prejudice; and

4. The Clerk of Court is directed to **CLOSE** this case.

                                        BY THE COURT:

                                        s/ Matthew W. Brann
                                        Matthew W. Brann
                                        United States District Judge

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[4]   28 U.S.C. § 636(b)(1); Local Rule 72.31.